IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CONTEMPT PETITION NO.304 OF 2005
IN
WRIT PETITION NO.2864 OF 2003

M/s.Tomato Apparels Pvt.Ltd. & ors.).. Petitioners

Versus

Union Bank of India & anr.).. Respondents

Ms.Rubi Taleja i/b.J.Narula and Associates for the Petitioners.

Mr.Rabindra Hazari for the Respondents.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 21ST OCTOBER 2005

P.C.:

. This Contempt Petition alleges violation of the order of this Court dated 1st August 2003 in Writ Petition No.2864 of 2003. By this order, the Division Bench had directed that the residential premises of the Petitioners should not be auctioned. The Petitioners apprehended that the residential flat was also going to be auctioned and sold by the Respondent Bank. The Bank has filed a reply of its Senior Manager wherein he has annexed the Proclamation of Sale. This document shows that the property which is sought to be put up for sale is 215/215-A, Cama Industrial Estate, Sun Mill Compound, Lower Parel, Mumbai-13. This is not the residential

property of the Petitioners. The Bank has further stated in the affidavit that they do not intend to put the residential flat for sale. Hence, nothing survives in the present Contempt Petition and the same is disposed of accordingly.